

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**TIMOTHY L. LaFRENIER,**

**Plaintiff,**

**V.**

**04-40114-FDS**

**MARY ANNE KINIREY, et al.,**

## Defendants.

## ORDER ON MOTION FOR LEAVE TO AMEND

**SAYLOR, J.**

On March 21, 2005, plaintiff Timothy LaFrenier filed a motion for leave to amend the complaint, seeking to substitute the actual name of a defendant, William E. May, for the alias “Chief of Police ‘John Doe.’” The proposed amended complaint purports to make no other changes to the original complaint filed in this Court on June 14, 2004. May opposes the motion on the grounds that it fails to comply with District of Massachusetts Local Rule 15.1.

The Court has reviewed the docket and determined that the complaint as originally filed on June 14, 2004, does in fact name “William E. May” as a defendant. May’s name appears in the caption of the complaint and in paragraphs 6 and 33. The docket also indicates that summonses issued on June 14, 2004, for all defendants, including May. As such, the relief sought by plaintiff appears to be unnecessary.

Accordingly, as William E. May is already named as a defendant in the complaint as filed, the plaintiff's motion to amend is DENIED WITHOUT PREJUDICE AS MOOT.

**So Ordered.**

/s/ F. Dennis Saylor  
F. Dennis Saylor IV  
United States District Judge

Dated: July 21, 2005